

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

BRUCE LEWIS,

Defendant.

**PRELIMINARY ORDER  
OF FORFEITURE AS TO  
SUBSTITUTE ASSETS**

S2 16 Cr. 786 (NSR)- 01

WHEREAS, on March 27, 2019, BRUCE LEWIS, (the "Defendant") was charged in a one-count Superseding Information, S2 16 Cr. 786 (NSR) (the "Information"), with wire fraud, in violation of Title 18, United States Code, Section 1343;

WHEREAS, on March 27, 2019 the Defendant pleaded guilty to Count One of the Information, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Count One of the Information and agreed to forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, a sum of money equal to \$149,408.00 in United States currency, representing proceeds obtained as a result of the offense charged in Count One of the Information;

WHEREAS, on or about March 27, 2019, the Court entered a Consent Preliminary Order of Forfeiture/Money Judgment (the "Order of Forfeiture") imposing a Money Judgment against the Defendant in the amount of \$149,408.00 in United States currency (the "Money Judgment") representing proceeds derived from the offense charged in Count One of the Information that the Defendant personally obtained, directly or indirectly as a result of the offense alleged in Count One;

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WHEREAS, to date, \$149,408.00 of the Money Judgment against the Defendant remains unpaid;

WHEREAS, as a result of acts and omissions of the Defendant, the United States has not been able to locate, obtain or collect assets traceable to the proceeds of the Defendant's offenses, despite the exercise of due diligence in investigating the assets of the Defendant; and

WHEREAS, the Government has identified the following specific asset in which the Defendant has an ownership interest: Approximately \$34,000 in United States currency in the Defendant's BOP account number 59577-198 (the "Substitute Asset").

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. All of the Defendant's right, title and interest in the Substitute Asset is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853 (n).

2. Upon entry of this Preliminary Order of Forfeiture as to Substitute Asset, the United States Marshals Service (or its designee) is hereby authorized to take possession of the Substitute Asset and keep it in its secure custody and control.

3. Pursuant to 21 U.S.C. § 853(n)(1), Federal Rule of Criminal Procedure 32.2(b)(6), and Rules G(4)(a)(iv)(C) and G(5)(a)(ii) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, the United States shall publish for at least thirty (30) consecutive days on the official government internet forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Preliminary Order of Forfeiture as to Substitute Asset, and provide notice that any person, other than the Defendant in

this case, claiming an interest in the Substitute Asset must file a petition within sixty (60) days from the first day of publication of the notice on this official government internet site, or no later than thirty-five (35) days from the mailing of actual notice, whichever is earlier.

4. This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the Substitute Asset, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in the Substitute Asset and any additional facts supporting the petitioner's claim and the relief sought, pursuant to 21 U.S.C. § 853(n).

5. Pursuant to Federal Rule of Criminal Procedure 32.2(b)(6)(A), the Government shall send notice to any person who reasonably appears to be a potential claimant with standing to contest the forfeiture in the ancillary proceeding.

6. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture with respect to the Substitute Asset pursuant to 21 U.S.C. § 853(n) and Federal Rule of Criminal Procedure 32.2(c)(2), in which all third-party interests will be addressed. All Substitute Assets forfeited to the United States under a Final Order of Forfeiture shall be applied towards satisfaction of the Money Judgment.


7. The Court shall retain jurisdiction to enforce this Preliminary Order of Forfeiture as to Substitute Asset, and to amend it as necessary, pursuant to Federal Rule of Criminal Procedure 32.2(e).

8. Pursuant to Federal Rule of Criminal Procedure 32.2(b)(3), upon entry of this Preliminary Order of Forfeiture as to Substitute Asset, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

9. The Clerk of the Court shall forward three certified copies of this Preliminary Order of Forfeiture as to Substitute Asset to Assistant United States Attorney Alexander J. Wilson, Co-Chief of the Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007.

Dated: White Plains, New York  
July 10, 2020

SO ORDERED:

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HONORABLE NELSON S. ROMÁN  
UNITED STATES DISTRICT JUDGE

The Government is directed to mail a copy of this Order to Defendant and file proof of service. Clerk of the Court requested to terminate the motions (docs. 272, 273 & 274).